

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SUN VALLEY FARMS, LLC,

Petitioner,

v.

WESTERN VEG PRODUCE, INC.,

Respondent.

Case No. 1:20-cv-01665-AWI-BAK

**ORDER RE: STIPULATION AND REQUEST
FOR CONTINUANCE OF DISCOVERY
CUTOFF DEADLINE**

(ECF Nos. 19, 26)

A scheduling order in this matter was issued on July 15, 2021. (ECF No. 19.) In relevant part, the scheduling order sets the non-expert discovery deadline for February 15, 2022, and the expert discovery deadline for June 1, 2022. (Id.)

On February 15, 2022, the same day as the non-expert discovery deadline, the parties filed a stipulated request to modify the schedule to extend the non-expert discovery cut-off deadline two months, to April 15, 2022. (ECF No. 26.) The parties proffer the extension is required because Plaintiff's Controller has been unavailable for a deposition due to medical reasons, plus the parties need additional time to complete subsequent discovery. (Id.) The parties further proffer the requested extension is the parties' first, and it will not impact any of the other deadlines set for in the scheduling order. (Id.)

The Court finds good cause exists to grant the requested stipulated relief. However, the

1 parties are reminded that requests to modify the schedule that are made on the eve of a deadline
2 or thereafter will be looked upon with disfavor and may be denied absent a showing of good
3 cause for the delay in seeking an extension. Further, if such a request is made after a deadline,
4 the party or parties seeking the nunc pro tunc extension must show additional good cause as to
5 why the matter was filed late.

6 Accordingly, pursuant to the parties' stipulation, IT IS HEREBY ORDERED that the non-
7 expert discovery cutoff date is CONTINUED to **April 15, 2022**. All remaining deadlines and
8 hearing dates as set forth in the July 15, 2021 scheduling order (ECF No. 19) shall remain in
9 effect.

10 IT IS SO ORDERED.

11 Dated: **February 15, 2022**

12 
13 UNITED STATES MAGISTRATE JUDGE